

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRONE BENTLEY	:	
Petitioner	:	
	:	
v.	:	Criminal No. 10-525
	:	
UNITED STATES	:	Civil Action 16-3510
Respondent	:	

**SUPPLEMENTAL PETITIONER'S REPLY<sup>1</sup> TO  
GOVERNMENT'S RESPONSE TO PRO SE MOTION TO VACATE/SET  
ASIDE/CORRECT SENTENCE PURSUANT TO 28 U.S.C. § 2255**

Tyrone Bentley, Petitioner, hereby files this counseled reply to the Government's answer to Petitioner's pro se second motion pursuant to 28 U.S.C. § 2255.<sup>2</sup>

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<sup>1</sup> On August 27, 2019, Petitioner Bentley filed a second pro se Motion to Vacate/Set Aside or Correct Sentence. Doc. No. 150. He filed exhibits in support of same on September 30, 2019. Doc. No. 151. On October 21, 2019, Petitioner file a Supplemental Memorandum of Law in support of same. Doc. No. 152. (In the interim, Petitioner also filed a Motion for Compassionate Release (156) which was denied on February 19, 2021 (160).) Petitioner also filed a second Supplemental Memorandum in support of his § 2255 Motion on March 5, 2021. Doc. No. 164. The government filed its response in opposition of the relief sought in Petitioner's § 2255 motion on July 23, 2021. Doc. No. 168. Petitioner then filed a motion for appointment of counsel and a reply to the government's response on July 26, 2021. Doc. No. 170. Additional pro se Replies were filed by Petitioner on August 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup>, 2021. See Doc No. 172, 171 and 173 respectively. This counseled reply is meant to supplement, and not replace, the four replies that Petitioner has filed in the past.

<sup>2</sup> In the past, Petitioner has referred to the "force clause" when analyzing whether a crime is one of violence under the categorical approach. See Page 2, Doc. No. 164. This is actually the elements clause; counsel requests this Court view it as such in the prior arguments made by Petitioner as the elements clause.

Respectfully submitted,

Carina Laguzzi

Carina Laguzzi  
Attorney for Petitioner Tyrone Bentley

**CERTIFICATE OF SERVICE**

I, CARINA LAGUZZI, certify that on this 20th day of October, 2021, I have served a copy of the attached Supplemental Reply to Government's Response in Opposition to Petitioner's Pro Se Motion Pursuant to 28 U.S.C. § 2255 via electronic filing, thus making it available for downloading and printing, upon the following parties:

Salvatore Astolfi  
Assistant United States Attorney  
U.S. Attorney's Office  
615 Chestnut Street  
Philadelphia, PA 19106

The Honorable Paul Diamond  
U.S. District Judge  
U.S. District Courthouse  
601 Market Street  
Philadelphia, PA 19106

*/s/ Carina Laguzzi*  
CARINA LAGUZZI, ESQUIRE  
Attorney for Petitioner